

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMD 0651-0021
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|--|--|--|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 282318-00012 |
| | | U.S. APPLICATION NO. (if known, see 37 CFR 1.5) |
| INTERNATIONAL APPLICATION NO. PCT/AU2004/000422 | INTERNATIONAL FILING DATE 1 April 2004 | PRIORITY DATE CLAIMED 30 April 2003 |
| TITLE OF INVENTION COLORANT FOR FOLIAGE OF HUMIC AND/OR FULVIC ACID, AND DYE | | |
| APPLICANT(S) FOR DO/EO/US HUGHES, Douglas John | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(7)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 35 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 37 CFR 1.821-1.825.</p> <p>18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</p> | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Pay attention to the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT,

BEST AVAILABLE COPY

PTO-1300 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | | | |
|--|--------------|---|---------|--|---------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO. PCI/AU/2004/000422 | | ATTORNEY'S DOCKET NUMBER 282318-00012 | |
| 20. Other Items or Information: Copy of Request Under Rule 92 bis for the Int'l. Appl.; Copy of Intn'l. Search Report; Credit Card Payment Form; Return Postcard | | | | | |
| The following fees have been submitted | | | | CALCULATIONS PTO USE ONLY | |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300 | | | | \$ | 300 |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200 | | | | \$ | 200 |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500 | | | | \$ | 400 |
| TOTAL OF 21, 22 and 23 = | | | | | 900 |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequences listing in compliance with 37 CFR 1.821(e) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(f)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250 | \$ | |
| Surcharge of \$134.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total claims | 20 - 20 = | 0 | x \$50 | \$ | -0- |
| Independent claims | 1 - 3 = | 0 | x \$200 | \$ | -0- |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ | 360 |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | 1,260 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | | |
| SUBTOTAL = | | | | \$ | 1,260 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ | 1,260 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.26, 3.31). \$40.00 per property | | | | \$ | 40 |
| TOTAL FEES ENCLOSED = | | | | \$ | 1,300 |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged | \$1,300 |

BEST AVAILABLE COPY

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0551-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2556. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Arnold B. Silverman, Esquire,
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219

SIGNATURE

Arnold B. Silverman

NAME

22,614

REGISTRATION NUMBER

PTO-2038 (02-2003)

Approved for use through 02/28/2006. OMB 0651-0043

United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

United States Patent and Trademark Office
Credit Card Payment Form
Please Read Instructions before Completing this Form

| Credit Card Information | | | |
|---|---|--|--|
| Credit Card Type: | <input type="checkbox"/> Visa | <input type="checkbox"/> MasterCard | <input checked="" type="checkbox"/> American Express <input type="checkbox"/> Discover |
| Credit Card Account #: | 1014 | | |
| Credit Card Expiration Date: | 02/07 | | |
| Name as it Appears on Credit Card: | David J Pederline Eckert Seamans et al. | | |
| Payment Amount: \$ (US Dollars): | \$1,300.00 | | |
| Cardholder Signature: | <i>Sally Thomasel</i> | | Date: 10-7-05 |
| <small>Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of \$25.00 or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR § 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged. Service Charge: There is a \$50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR § 1.21 (m)).</small> | | | |
| Credit Card Billing Address | | | |
| Street Address 1: 600 Grant Street, 44th Floor | | | |
| Street Address 2: | | | |
| City: Pittsburgh | | | |
| State/Province: PA | | Zip/Postal Code: 15219 | |
| Country: US | | | |
| Daytime Phone #: 412.566.6000 | | Fax #: 412.566.6099 | |
| Request and Payment Information | | | |
| Description of Request and Payment Information: | | | |
| U.S. NATIONAL PHASE PATENT APPLICATION FILING FEES | | | |
| <input checked="" type="checkbox"/> Patent Fee | <input type="checkbox"/> Patent Maintenance Fee | <input type="checkbox"/> Trademark Fee | <input type="checkbox"/> Other Fee |
| Application No. | Application No. | Application No. | IDON Customer No. |
| Patent No. | Patent No. | Registration No. | |
| Attorney Docket No. 282318-00012 | | Identify or Describe Mark | |

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent and Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

12/07/05 10:24 FAX

ECKERT SEAMANS

001

**ECKERT
SEAMANS**

2005 DEC -7 PM

Eckert Seamans Cherin & Mellott, LLC
U.S. Steel Tower
600 Grant Street, 44th Floor
Pittsburgh, PA 15219

TEL 412 566 6000
FAX 412 566 6099
www.eckertseamans.com

2005 DEC -7 PM 3:57

US PATENT & TRADEMARK
OFFICE

US PATENT & TRADEMARK
OFFICE

FACSIMILE

TO: Refunds

COMPANY: United States Patent & Trademark Office

FAX NUMBER: 571-273-6500

DATE: December 7, 2005

TIME: 10:00 a.m.

FROM: Sylvon C. McCarthy

DIRECT DIAL: 412.566.6976

TOTAL PAGES (including cover): 7

MESSAGE:

NOTICE OF CONFIDENTIALITY: The statements upon and any documents included with this facsimile transmittal sheet contain information from the firm of Eckert Seamans Cherin & Mellott, LLC, that is confidential, privileged and exempt from disclosure under applicable laws. This information is intended to be for the exclusive use of the named addressee. If you are not the addressee, note that any disclosure, copying, distribution or use of the contents of this transmittal is prohibited. If you have received this facsimile in error, please immediately notify us at 412.566.6161 (collect) so that we can arrange for the retrieval of the original documents at no cost to you.

PITTSBURGH, PA HARRISBURG, PA PHILADELPHIA, PA BOSTON, MA WASHINGTON, DC WILMINGTON, DE
MORGANTOWN, WV SOUTH POINTE, PA ALCOA CENTER, PA

PAGE 17 * RCVD AT 12/7/2005 10:23:17 AM (Eastern Standard Time) * SVR:USPTO-EFAXF-6/24 * DNIS:2736500 * CSID: * DURATION (mm-ss):02:38

BEST AVAILABLE COPY

PATENT OFFICE

2005 DEC -7 PM 3:57

PTO/SB/97 (12-97)

Approved for use through 03/30/00. OMB 0851-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

GPO: 2004-001-001

ATTENTION: REFUNDS**Certificate of Transmission under 37 CFR 1.8****TOTAL PAGES ATTACHED:**

I hereby certify that this correspondence is being facsimile transmitted to the
Patent and Trademark Office

on 12/07/2005
Date


Signature

Sylvan C. McCarthy

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify
each submitted paper.

FACSIMILE COVER SHEET**PTO/SB/97****REQUEST FOR REFUND UNDER 37 CFR §1.26(a)****COPIES OF PTO-2038 AND PTO-1390 (AS FILED)**

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case.
Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office,
Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents,
Washington, DC 20231.